

**FLATHEAD COUNTY PLANNING BOARD  
MINUTES OF THE MEETING  
MARCH 11, 2009**

**CALL TO  
ORDER**

A meeting of the Flathead County Planning Board was called to order at approximately 6:00 p.m. Board members present were Marc Pitman, Gordon Cross, George Cullpepper Jr., Frank DeKort, Rita Hall, Mike Mower, and Jim Heim. Randy Toavs and Marie Hickey-AuClaire had excused absences. Allison Mouch, Drew Hagemeier and Jeff Harris represented the Flathead County Planning & Zoning Office.

There were 7 people in the audience.

**APPROVAL OF  
MINUTES**

DeKort motioned and Hall seconded to approve the January 21, 2009 minutes. The motion passed unanimously.

**PUBLIC  
COMMENT  
(not related to  
agenda items)**

None.

**STW  
PROPERTIES  
LLC  
(FCMU 08-03)**

A request by Darwon Stoneman of STW Properties, LLC for a Major Land Use Review to convert an existing shop into a conference and teaching/training center and to expand a 4,000 square foot foundation into an 8-10 bedroom lodge and dining facility within the C.A.L.U.R.S (Canyon Area) Zoning District. The property is located on the south side of Highway 2 East, approximately ½ mile west of the entrance to Glacier National Park and the community of West Glacier.

**STAFF REPORT**

Allison Mouch reviewed Staff Report FCMU 08-03 for the Board.

**BOARD  
QUESTIONS**

Cross asked Mouch to summarize the comment letter she handed out to the board.

Culpepper asked what the major concerns of the land use advisory committee were.

Mouch said the major concern was the use of a dust palliative which she addressed in condition #4. There was also the question of the cumulative development being appropriate for the location. All the tracts of land meet the zoning requirements for the middle canyon.

Culpepper asked about the current road which would be used as a walking trail in the summer and a Nordic ski trail in the winter. He surmised it would be used by pedestrians only.

Mouch agreed. The applicant would let the existing road grow in for the trail but maintain it for possible use for emergencies. It would not be encouraged for visitors to use the driveway.

Heim asked where the breakaway gate would be.

Mouch said it would be where the current driveway accessed the highway.

Darwon Stoneman said it would need to be closer to the buildings or to have two gates, one close to the highway and another closer to the buildings to discourage exiting through the driveway.

Mouch said the condition stipulated the gate be located on the northern most boundary. Its main intent was to discourage through traffic.

**APPLICANT  
PRESENTATION**

Darwon Stoneman Glacier Raft Company, Glacier Outdoor Company and STW Properties, LLC, gave a brief history and explanation of the businesses he owns on the property. He said there was no residential property in the area. He explained where they were in the process of converting existing ponds into trout ponds. He would not degrade the ponds due to his own personal reasons. He did not have a problem with road maintenance. He went through the process of a major land use review for four cabins and a bed and breakfast. He decided not to do the bed and breakfast but needed to have a lodge which could serve eight and have food preparation capabilities. In order to increase winter business, he needed to have food service. There was no food service available in the area in the wintertime other than the Belton which was open Friday, Saturday, and Sunday. Otherwise the nearest place to have food served was seven miles away. All of their existing cabins had kitchens and ways to prepare food. At some point they feel they will have a need to provide food service in the winter. He provided some clarification on what he thought the comment letter passed around earlier this evening meant as far as the land owner's concerns about the proposed wells on the subject property. He explained all the wells in the area produced 30-35 gallons per minute. He did not believe there was any significant

**BOARD  
QUESTIONS**

drawdown on the water level. He said he had been in business on the property for 33 years and made his living off of presenting himself well, taking care of the property and the outdoors.

Culpepper asked if the applicant had a problem with the suggested 100 foot setback versus the original 50 foot setback.

Stoneman said he did not because he also wanted some delineation between the properties as well.

Culpepper expressed concern about the wetlands and the road intended for pedestrian use only. His concern was ATV and snowmobile use in the winter.

Stoneman said there would be no ATV use and only snowmobile use occasionally in the winter for grooming purposes. In his opinion, there would be no oil leaks or pollution on the trail.

Pitman said with the addition of the cabins, etc, he would need a public water supply well.

Stoneman acknowledged that fact and said he had a non transient public water supply right now. He explained the plans for future water and septic systems.

Pitman said the reason he brought the public water supply up was with the size of the proposed facility, he was close to the 35 gallon per minute limit on his existing well.

Stoneman said the exact size of the lodge had not been determined yet. He planned to stay under the size limit for the existing well. He had been through the procedure for expansion of the water capabilities before and did not want to go through the process again.

Cross asked how Stoneman planned to convert the wetlands to trout ponds.

Stoneman explained his plan of action and the fact that there was little to be done, the previous owner already had accomplished most of the project. He needed to acquire the necessary permits from the Fish, Wildlife and Parks Department.

<b>AGENCY COMMENTS</b>	None.
<b>PUBLIC COMMENT</b>	None.
<b>APPLICANT REBUTTAL</b>	None.
<b>STAFF REBUTTAL</b>	None.
<b>MAIN MOTION TO ADOPT F.O.F. (FCMU 08-03)</b>	Heim made a motion seconded by Pitman to adopt staff report FCMU 08-03 as findings-of-fact.
<b>BOARD DISCUSSION</b>	None.
<b>ROLL CALL TO ADOPT F.O.F.</b>	On a roll call vote the motion passed unanimously.
<b>MAIN MOTION TO RECOMMEND APPROVAL OF CONDITIONS</b>	Pitman made a motion seconded by Culpepper to adopt Staff Report FCMU 08-03 and recommend approval to the Board of County Commissioners.
<b>BOARD DISCUSSION</b>	<p>Cross brought up the change suggested by staff on condition #6. He asked for clarification from staff.</p> <p>Mouch clarified the suggested change in wording.</p> <p>There was a discussion between the board, staff and applicant on the change of wording.</p>
<b>SECONDARY MOTION TO (adopt an addition to condition #6)</b>	Pitman motioned and Hall seconded to add the following statement to Condition #6. <i>Prior to the beginning of construction, the applicant shall be required to complete an official plan review for lodging and food service facilities to ensure compliance with requirements established by the Food and Consumer Safety Section of the Montana Department of Public Health and Human Services. Proof of completion shall be submitted to the Flathead County Planning and Zoning Department prior to the beginning of</i>

*construction.*

**ROLL CALL**  
*(adopt an  
addition to  
Condition #6)*

On a roll call vote, the motion passed unanimously.

**ROLL CALL TO  
RECOMMEND  
APPROVAL**  
*(FCMU 08-03)*

On a roll call vote the motion passed unanimously.

**LAKESIDE  
ESTATES  
PH 3-5  
(FPP 08-28)**

A request by Lakeside Land Development, LLP for Preliminary Plat approval of Lakeside Estates Phases 3-5, a fifty-nine (59) lot single-family residential subdivision on 44.031 acres. Lots in the subdivision are proposed to have public water and sewer systems. The property is located off Bierney Creek Road.

**STAFF REPORT**

Andrew Hagemeyer reviewed staff report FPP 08-28 for the board.

**BOARD  
QUESTIONS**

Mower asked how much of the roads were actually built on the subject properties.

Hagemeyer showed on the map which roads were etched in and the various stages of the other roads.

Mower asked what etched in meant.

Hagemeyer said they were at least a single track if not a double track width on the roadway. He mentioned easements which need to be shown on final plat concerning utilities because of the topography of the property.

Culpepper asked for clarification on the condition of clearing fire hazards on the final plat. He asked if that was different from what was suggested earlier in his report.

Hagemeyer said no, they were the same thing.

Cross asked for clarification if this was a condition on the preliminary plat or final plat.

Hagemeyer said it was a condition on the final plat.

Cross asked why the standards on the roads went from 20 to 24

feet on the roads. He mentioned the change in county standards.

Hagemeier did not know the history of the change of the road width.

Heim said it would be consistent with the earlier phases of the subdivision.

The board and staff discussed the change in road width.

**APPLICANT  
PRESENTATION**

Eric Mulchahy, represented the applicants, said overall they concurred with the staff report and the conditions in the report. They would like to clarify the variance. The roads were more than just graded in. They were almost finished. There was only one road which was not graded in. They had no problem with the condition on drainage; it was fairly standard to have issues with drainage on a sloped subdivision. The easements for service mains were not a problem. This subdivision had been through the approval process once. They missed the final plat deadline by three days, so they were going through the process again. He did not see a problem with the thinning of the trees before final plat.

**BOARD  
QUESTIONS**

Pitman asked if the well was already in.

Mulchahy said the first well was already in and there was another well which was planned to come in with phase three. The applicants had been working with Lakeside Water and Sewer and with other developers to put in a large system to address the needs of more than one subdivision.

**AGENCY  
COMMENTS**

None.

**PUBLIC  
COMMENT**

Charles Lapp, 3230 Columbia Falls Stage Road, went over the history of his subdivision in the area in relation to this project. He commented it was a good project.

Cross asked Lapp, as a member of the road committee, to shed some light on why the county went to the 24 foot width.

Lapp explained the history of road widths and reasons for the changes in the county.

**APPLICANT  
REBUTTAL**

Doug Siderius, applicant, said he was open to any other questions from the board. He gave a brief history of how long the subdivision had been in the works and what had been done so far.

Mower said the issue of the roads was that the utilities ran next to the road and if the road was widened, it would interfere with the utilities.

Siderius said it could. The utilities were under the road already. He explained the technical aspects of installing the utilities.

Heim said the fire hydrants were already installed.

Siderius said the fire hydrants would be the biggest issue. He explained how they ran the water system and that the water system was virtually in, they had been using it for years.

Heim said some of his curb stops would be affected too.

Culpepper asked Hagemeyer for clarification on which version of the subdivision rules were used.

Siderius brought up the concern about fire and fuels on the property. When he first started the project, he cleared a lot of the property. What he came to find, was that it seemed more beneficial to leave a lot of timber on the lots to give the lot owners the ability to pick and choose which trees they wanted to remove. Many trees were removed during construction. He intentionally left a large amount of the trees on the property rather than scarring the hillside with logging, since he knew trees would be selectively removed during construction. He mentioned the fire protection they did have in place since they knew the lots were heavily wooded.

Mulchahy asked if the clearance of potential fuels were understory (ground brush) or overstory (trees).

Hagemeyer said he intended understory and perhaps that condition needed clarification.

**STAFF  
REBUTTAL**

None.

**MAIN MOTION  
TO ADOPT  
F.O.F.  
(FPP 08-28)**

DeKort made a motion seconded by Pitman to adopt staff report FPP 08-28 as findings-of-fact.

**BOARD  
DISCUSSION**

None.

**ROLL CALL TO  
ADOPT F.O.F.  
(FPP 08-28)**

On a roll call vote, the motion passed unanimously.

**MOTION TO  
RECOMMEND  
APPROVAL**

DeKort made a motion seconded by Culpepper to adopt Staff Report FPP 08-28 and recommend approval to the Board of County Commissioners.

**BOARD  
DISCUSSION**

DeKort said condition 18 needed to add the word understory between the words thin and fuels.

**MOTION TO  
(Amend  
Condition #18)**

DeKort motioned and Culpepper seconded to amend condition #18 to read; The applicant shall use Firewise guidelines to thin *understory* fuels to create defensible space of 30 feet from all building sites as they are shown on the preliminary plat prior to final plat approval of each phase. The applicant does not need to show building sites on the final plat.

**BOARD  
DISCUSSION**

Mower had a comment on subdivisions which had timed out on their timeline. He asked for clarification on the rules for when a subdivision times out and what regulations they fell under when they were resubmitted and what the process was.

Cross brought up the motion still on the table.

**ROLL CALL TO  
(Amend  
Condition #18)**

On a roll call vote, the motion passed unanimously.

**BOARD  
DISCUSSION**

The board and staff discussed at length the issues of subdivisions who had timed out and the regulations which applied to them when they came back through the process.



**ROLL CALL  
TO  
RECOMMEND  
APPROVAL OF  
(FPP 08-28)**

On a roll call vote the motion passed unanimously.

**COMMITTEE  
REPORTS**

Culpepper reported from committee A the commissioners were in support of the committee moving forward with their project and wanted them to come back to the commissioners after the first phase of the public comment was complete. They are meeting on Friday morning to plan the next course of action. Next week they would have more information.

Cross relayed a discussion with Jeff Harris about having the committees report back to the planning board. When the committees were created, it was with the understanding that the committees would take no action but bring back ideas to the board for approval and action. He thought it was particularly relevant to committee B since they were dealing with regulations, but also applicable to committee A with the mapping project. If the board was involved, then it carried more weight when the ideas were presented to the commissioners.

Mower thought anything that went forward, went through the board.

Cross said that should be the way procedure was followed.

The board discussed at length the way they wanted their projects to be presented to the commissioners and the public.

Cross updated the board on the work done by Committee B on regulations.

**OLD BUSINESS**

Cross passed out discussion topics which included issues brought up at the retreat as well as emails he had received. He asked if the board wished to look over the list now or discuss them after the meetings on Friday.

The board and staff discussed and clarified topics on the list.

**NEW BUSINESS**

Cross received a call from people who had property in Evergreen and wanted to donate it for a site for the public library. He explained where the property was located and gave a very brief history of the property. The owner had already offered the land

to the library board.

The board discussed the property.

**ADJOURNMENT** The meeting was adjourned at approximately 8:00 pm. on a motion by DeKort. The next meeting will be held at 6:00 p.m. on March 18, 2009.

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Gordon Cross, President

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Donna Valade, Recording Secretary

*APPROVED AS SUBMITTED/CORRECTED: 4/8/09*